

# **AGENDA**

## **MALVERN CITY COUNCIL**

Monday, November 8, 2021

First Baptist Church Family Life Center, 6:30 PM

### **I. CALL MEETING TO ORDER**

### **II. INVOCATION**

### **III. ROLL CALL**

### **IV. APPROVE MINUTES OF THE PREVIOUS MEETING**

A. Regular Meeting – October 12, 2021

### **V. DEPARTMENT REPORTS**

- A. Finance Report
- B. Street Department Report
- C. Police Report
- D. Fire/CEO Report
- E. Animal Control Report
- F. LifeNet Report
- G. Water Works Report

### **VI. OLD BUSINESS**

A. Third reading – Ordinance Levying City Taxes for 2022

### **VII. NEW BUSINESS**

- A. Appoint Brent Black of MNB to RLF Committee
- B. Approve Extension of Water Service - Military Road
- C. Resolution Supporting Ballot Initiative
- D. Resolution – Preserving City Records through Arkansas State Archives
- E. Airport Resolution
- F. Purchasing Ordinance

### **VIII. MAYOR REPORTS**

### **IX. ADJOURNMENT**



**MINUTES OF THE MALVERN CITY COUNCIL  
MONDAY, NOVEMBER 8, 2021, 6:30 PM  
FIRST BAPTIST CHURCH FAMILY LIFE CENTER**

The Malvern City Council met for its regular monthly meeting on Monday, November 8, 2021, at 6:30 p.m. in the First Baptist Church Family Life Center.

Mayor Brenda Weldon called the meeting to order. Council Member Mary Fraction led the invocation and pledge of allegiance. Answering the roll call were Council members Mary Fraction, William Wilson, Lynn Davis, Wayne Reynolds, Peggy Lusinger, Matthew Keenan, David Cross and Larry Stiles. Also present were City Clerk/Treasurer Phyllis Dial and City Attorney Cecilia Ashcraft.

A motion was made by Council Member Matthew Keenan, seconded by Council Member Wayne Reynolds to approve the minutes of the regular meeting held on October 12, 2021. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Lusinger, Keenan, Cross and Stiles. All voting for, motion carried, and the minutes of the previous meeting were adopted.

A motion was made by Council Member Lynn Davis, seconded by Council Member Mary Fraction, to accept the Departmental Reports as posted, excepting the reports from the Malvern Water Works. Water Works Manager Coston advised that he had been out Friday but had sent the reports via email this morning. The reports will be uploaded on Tuesday. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Lusinger, Keenan, Cross and Stiles. All voting for, the reports were accepted.

Mayor Weldon asked the Council to open the agenda to consider the bid for repair of the concrete streets in Royal Oaks Subdivision that was opened this morning. A motion was made by Alderman Reynolds, seconded by Keenan, to add consideration of the bid for the streets in Royal Oaks Subdivision to the agenda. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Lusinger, Keenan, Cross and Stiles. All voting for, the item was added to the agenda.

Under old business, Council Member Keenan introduced the ordinance levying city taxes for the year 2022 for its third and final reading by title only. The ordinance was read by the City Attorney for its third reading by title only. A motion was made by Alderman Reynolds, seconded by Stiles, to adopt the ordinance. Mayor Weldon noted that this is something that is required by state law to be done annually and does not impose any new taxes. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Lusinger,



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Keenan, Cross and Stiles. All voting for, the motion carried, and the ordinance was adopted and assigned No. 2021-06.

**ORDINANCE NO. 2021-06**

**AN ORDINANCE LEVYING CITY TAXES FOR THE YEAR 2022 FOR GENERAL FUND, POLICE  
PENSION AND RELIEF, AND FIREMEN'S PENSION AND RELIEF**

Under new business, a motion was made by Alderman Cross, seconded by Alderman Reynolds to accept the bid from RC Inc. for repair of the concrete streets in Royal Oaks Subdivision in the amount \$120,542.00. Mayor Weldon stated that the bid is about \$5,000 less than was estimated by Asst. Street Superintendent Jacob Wright. Alderman Cross stated that he has done work with this company, and they are reliable and do good work. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Lusinger, Keenan, Cross and Stiles. All voting for, the motion carried, and the bid was accepted.

A motion was made by Council Member Fraction, seconded by Alderman Keenan to appoint Brent Black to the Revolving Loan Fund Committee to replace Mark Roberts, who has retired, as the representative from Malvern National Bank. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Lusinger, Keenan, Cross and Stiles. All voting for, the motion carried.

A motion was made by Alderman Cross, seconded by Alderman Keenan to approve the extension of water service to a customer on Military Road. All proper paperwork has been signed, and there will be no additional cost to the city. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Lusinger, Keenan, Cross and Stiles. All voting for, motion carried, and the extension was approved.

Alderman Keenan introduced a resolution supporting the Vote Hot Spring County Wet ballot initiative. City Attorney Ashcraft read the resolution. A motion was made by Alderman Cross, seconded by Alderman Keenan to adopt the resolution. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Lusinger, Keenan, Cross and Stiles. All voting for, the motion carried, and the resolution was adopted and assigned No. 13-2021.



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**RESOLUTION NO. 13-2021**

**A RESOLUTION EXPRESSING THE OPINION OF THE MALVERN CITY COUNCIL ON  
THE *VOTE HOT SPRING COUNTY WET* BALLOT INITIATIVE**

Council Member Davis introduced a resolution authorizing the scanning of the city's old handwritten records, and then allowing them to be preserved by the Arkansas State Archives. The City Attorney read the resolution. Clerk/Treasurer Dial explained that the city is required to keep the records infinitely, but that the city does not have the proper climate-controlled environment for them. The records are in bad shape and cannot be researched without causing further damage. This process will scan them to digital media, making the information in them accessible, and then will place them in the hands of the Arkansas State Archives who will store them in an environment that will preserve them from further damage. The resolution is required to make the Arkansas State Archives the curator for these records. The company that will be utilized to scan the documents was recommended by the county. A motion was made by Council Member Lusinger, seconded by Council Member Davis to adopt the resolution. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Lusinger, Keenan, Cross and Stiles. All voting for, the resolution was adopted and assigned No. 14-2021.

**RESOLUTION NO. 14-2021**

**A RESOLUTION AUTHORIZING HANDWRITTEN CITY RECORDS TO BE SCANNED BY  
STRATEGIC TECHNOLOGY RESOURCES AND THEN DELIVERED FOR PRESERVATION BY  
THE ARKANSAS STATE ARCHIVES**

Council Member Fraction introduced a resolution adopting additional rules to the Malvern Municipal Airport Rules. City Attorney Ashcraft read the resolution. A motion was made by Council Member Lusinger, seconded by Alderman Keenan, to adopt the resolution. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Lusinger, Keenan, Cross and Stiles. All voting for, the resolution was adopted and assigned No. 15-2021.

**RESOLUTION NO. 15-2021**

**A RESOLUTION ADOPTING ADDITIONAL RULES TO THE MALVERN MUNICIPAL  
AIRPORT RULES**

Alderman Cross introduced for its first reading, an ordinance amending the City's purchasing ordinance and increasing the amount to \$35,000 without requiring formal bids. The City Attorney read the ordinance for its first reading.



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A motion was made by Council Member Davis, seconded by Alderman Keenan to suspend the rules, and place the ordinance on its second reading by title only. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Lusinger, Keenan, Cross and Stiles. All voting for, the motion carried, and the ordinance was read for the second time by title only. A motion was made by Council Member Fraction, seconded by Alderman Keenan to suspend the rules, and place the ordinance on its third and final reading by title only. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Lusinger, Keenan, Cross and Stiles. All voting for, the motion carried, and the City Attorney read the ordinance for its third and final reading by title only. A motion was made by Council Member Davis, seconded by Council Member Lusinger, to adopt the ordinance. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Lusinger, Keenan, Cross and Stiles. All voting for, the ordinance was adopted and assigned No. 2021-07. A motion was made by Council Member Lusinger, seconded by Council Member Davis to adopt the emergency clause of the ordinance. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Lusinger, Keenan, and Cross with Stiles voting "no". By a vote of seven "ayes", and one "no", the emergency clause was adopted.

**ORDINANCE NO. 2021-07**

**AN ORDINANCE ESTABLISHING A PROCEDURE FOR PURCHASING, SALE, OR  
EXCHANGE OF PROPERTY IN COMPLIANCE WITH ACT NO 28 OF 1959, AS AMENDED BY  
ACT 435 §5 ADOPTED 2021, REPEALING ORDINANCE NO 2012-05 AND FOR OTHER  
PURPOSES; DECLARING AN EMERGENCY**

Mayor Weldon advised the Council that the ongoing street repair, police station construction, and fire station construction projects are proceeding as planned and going well. She reminded the Council that the restrooms in her office are being repaired and that she and her assistant are working from home this week. She noted that she had passed out copies of the proposed 2022 budget to the remaining council members who are not on the budget committee and were not at the budget meeting last week. She said that she is available to meet with them or visit with them by phone to answer any questions they might have on the proposed budget. It will be considered at the December meeting.

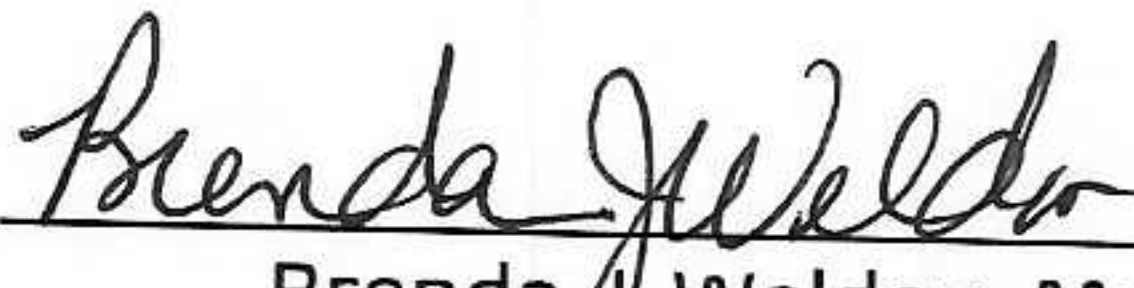


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There being no further business, and upon a motion by Alderman Keenan, seconded by Alderman Stiles, the meeting was adjourned.



  
Phyllis Dial, City Clerk/Treasurer

  
Brenda J. Weldon, Mayor